



PHILADELPHIA GAS WORKS

800 West Montgomery Avenue • Philadelphia, PA 19122

Danielle Leva, Paralegal
Legal Department
Direct Dial: 215-684-6862
FAX: 215-684-6798
E-mail: danielle.leva@pgworks.com

January 19, 2016

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Re: Joseph L. Rago v. PGW, Docket No. F - 2015 - 2503606

Dear Secretary Chiavetta:

Pursuant to 52 Pa. Code §5.535, the Philadelphia Gas Works ("PGW") hereby files its reply to the Complainant's exceptions to the October 28, 2015, Initial Decision in the above captioned matter.

If additional information is required, please do not hesitate to contact the undersigned. Thank you for your assistance in the matter.

Sincerely,


Danielle Leva

Enclosure

cc: Joseph L. Rago (Regular Mail)
Linda Pereira (PGW Mail)
Wendy Vacca (PGW Mail)

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Joseph L. Rago

v.

Philadelphia Gas Works

:
:
:
:
:

Docket No. F – 2015 – 2503606

**PHILADELPHIA GAS WORKS’
REPLY TO COMPLAINANT’S EXCEPTIONS**

Pursuant to 52 Pa. Code §5.535, and the Secretary’s letter dated January 11, 2016, and the Initial Decision in the above captioned matter, the Philadelphia Gas Works, (PGW) hereby files its reply to the Complainant’s exceptions to the Initial Decision issued December 16, 2015, in the above captioned matter (Initial Decision).

I. INTRODUCTION

On September 14, 2015, Joseph L. Rago (Complainant) filed a Formal Complaint with the Public Utility Commission (Commission) against the Philadelphia Gas Works (PGW) alleging that his service was off and he would like the service restored and a payment arrangement.

On October 5, 2015, PGW filed an answer wherein it admitted that it terminated the service at 8891 Alton Street on August 12, 2015. The Answer stated that by decision dated April 1, 2014, the Bureau of Consumer Services required the Complainant to pay a \$153.00 budget plus \$134.00 on the arrearage for a total of \$287.00 a month. The Complainant did not keep the payment arrangement. On July 27, 2015, the Respondent issued a 10-day shut off notice. The service was terminated on August 12, 2015. To restore his service, PGW requires the Complainant to pay \$6,594.08 which includes the \$6,285.76 account balance plus \$185.00, which is half of the security deposit, and a \$123.23 reconnection fee.

A hearing was held in this matter on November 13, 2015, before Administrative Law Judge Cynthia Williams Fordham. By Secretarial Letter dated December 16, 2015, Judge Fordham issued her Initial Decision dismissing the Complaint because the

Complainant failed to sustain his burden of proof with regard to demonstrating that the charges on his bills are incorrect, that there is a safety problem, that he is eligible for medical certificates or that he is entitled to a payment arrangement to restore his service.

The Complainant filed exceptions to the Initial Decision on or about January 11, 2016. Pursuant to 52 Pa. Code §5.535, and the Secretary's letter dated January 11, 2016 in this matter, this timely reply follows.

II. PGW'S REPLY TO EXCEPTIONS

The Complainant's exceptions fail to address any error in fact or law contained in the Initial Decision refuting the conclusion that the Complainant failed to meet his burden of proof with regard to demonstrating that the charges on his bills are incorrect, that there is a safety problem, that he is eligible for medical certificates or that he is entitled to a payment arrangement to restore his service..

Exceptions

The Complainant's exceptions are a recitation of the same arguments that were made by the Complainant and his mother at the evidentiary hearing on November 13, 2015.

PGW's Reply

The Exceptions fail to demonstrate that the Initial Decision is unsupported by substantial evidence.

The record of this matter clearly shows that the Complainant has demonstrated a poor payment history and has defaulted on several payment arrangements, that PGW is not required to honor a third or subsequent renewal of the medical certificate, that the Complainant failed to show that PGW failed to provide him with reasonable or safe service, and that the Complainant conceded that his high bills are not PGW's fault.

III. CONCLUSION

For the reasons stated above, the PGW requests that the Commission deny the Complainant's Exceptions to the Initial Decision and adopt the Initial Decision issued December 16, 2015 in this matter as written dismissing the Complaint.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Graciela C. Christlieb', written over a horizontal line.

Graciela C. Christlieb, Esq.
Philadelphia Gas Works
800 W. Montgomery Avenue
Philadelphia, PA 19122

January 19, 2016

CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT I HAVE THIS DAY SERVED A TRUE COPY OF THE FOREGOING DOCUMENT UPON THE PARTICIPANTS LISTED BELOW, IN ACCORDANCE WITH THE REQUIREMENTS OF 52 PA CODE §1.54 (RELATING TO SERVICE BY A PARTICIPANT).

Service List:

For Complainant:

Mr. Joseph L. Rago
8891 Alton Street
Philadelphia, PA 19115

January 19, 2016


Graciela C. Christlieb, Esq.
Philadelphia Gas Works
800 W. Montgomery Avenue
Philadelphia, PA 19122